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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,086	02/02/2004	Kouichi Takamine	50023-218	6559

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McDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, DC 20005-3096

EXAMINER

TAYLOR, NICHOLAS R

ART UNIT	PAPER NUMBER
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2141

MAIL DATE	DELIVERY MODE
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08/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/768,086	Applicant(s) TAKAMINE ET AL.	
	Examiner NICHOLAS TAYLOR	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on May 27th, 2008, has been entered.

2. Claims 1-16 have been presented for examination and are rejected.

Response to Arguments

3. Applicant's arguments filed May 27th, 2008, with respect to the claims have been considered but are moot in view of the new grounds of rejection.

Claim Objections

4. Claims 1 and 10 are objected to because of the following grammatical informalities:

As per claim 1, the use of "same" in the context of "the second application that is same as the first application."

As per claim 10, the use of "form."

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Goswami, Dinkar (U.S. PGPub 2003/0105816).

7. As per claims 1, 7, 12, 14, and 16, Goswami teaches a cooperative application system for controlling a first application and a second application respectively operating on a sending terminal and a receiving terminal that are connected via a network, the system comprising: (Goswami, see paragraph 0048 and fig. 1 overviews)

the sending terminal including:

a first application-control unit that is operable to give to the first application an instruction that controls both the first application and the second application, according to a preset condition of the first application or an operation of a user of the first application reading an application data and working on the sending terminal and (Goswami, paragraphs 0048, 0050, 0052, and 0053, e.g., where a user initiates an edit operation)

a sending unit that is operable to send the instruction given to the first application to the receiving terminal; and the receiving terminal including a receiving unit that is operable to receive the instruction given to the first application from the sending terminal, and (Goswami, paragraphs 0048 and 0052; see also the structure of fig. 1 devices)

a second application-control unit that is operable to give the instruction received from the sending terminal, to the second application that is same as the first application and works on the receiving terminal reading an electronic file including the application data, and the second application changes an output image outputted based on the application data read by the second application (Goswami, see paragraphs 0048, 0050, 0052, 0053, and 0066; see also resulting output of figs. 3, 3a, 3b, and 4).

8. As per claims 2 and 8, Goswami teaches the system further wherein at least one of said sending terminal and said receiving terminal further comprises an application-data-management unit that is operable to check at least one matching property of:

the status of the first application; whether or not a type of the first application is the same as the second application; whether or not the status of the first application is the same as the second application; and whether or not the application data of the first application is the same as the second application (Goswami, see, e.g., paragraph 0071).

9. As per claim 3, Goswami teaches the system further wherein said sending unit is operable to send to a specified server, address information of said receiving terminal, contents to be used by the second application, and a send instruction to send said contents; and wherein said receiving unit is operable to receive said contents from said server and give said contents to the second application (Goswami, paragraphs 0064-0066 and fig. 2 process with resulting interactions after sending the content and address information to the receiving unit).

10. As per claim 4, Goswami teaches the system further wherein said sending unit is operable to send the contents to be used by second application to a specific server, and send address information for said server to the receiving unit of said receiving terminal; and wherein said receiving unit is operable to receive said address information for said server, receive said contents from said server based on the received address information for said server, and give said contents to the second application (Goswami, paragraphs 0064-0066 and fig. 2 process with resulting interactions after sending the content and address information to the receiving unit).

11. As per claims 5, 13, and 15, Goswami teaches the system further wherein said sending terminal further includes a first time-control unit that is operable to synchronize a video signal that is input to a video-input unit, an audio signal that is input to an audio-input unit and the instruction outputted from said first application-control unit, and wherein said receiving terminal further includes a second time-control unit that is

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operable to synchronize and output the video, audio, and the instruction received by the receiving unit (Goswami, see, e.g., audio/video synchronization of paragraphs 0053, 0059 and 0060).

12. As per claim 6, Goswami teaches the system further wherein the video signal input from said video-input unit is a high-definition quality video signal unit (Goswami, paragraphs 0053 and 0060).

13. As per claim 9, Goswami teaches the system further wherein said application-control unit is operable to further receive an instruction from the second network terminal, and give the instruction from the second network terminal to the first application (Goswami, paragraphs 0048 and 0052; see also the structure of fig. 1 devices).

14. As per claim 10, Goswami teaches the system further wherein said application-control unit is operable to switch according to a setting by a user between a remote-control mode that gives the instruction from the second network terminal to the first application, and a normal-control mode that gives an instruction to be performed by the network terminal (Goswami, see the mode controls of paragraphs 0069, 0070, 0073, and corresponding example user interfaces of fig. 3, 3a, and 3b).

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15. As per claim 11, Goswami teaches the system further comprising a firm time-control unit that is operable to synchronize a video signal that is input at the video-input unit, an audio signal that is input at an audio-input unit and the instruction outputted from said application-control unit (Goswami, see, e.g., audio/video synchronization of paragraphs 0053, 0059 and 0060).

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/NT/

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Nicholas Taylor

Examiner

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/saleh najjar/

Supervisory Patent Examiner, Art Unit 2155